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VIA ELECTRONIC FILING

Jocelyn G. Boyd, Esquire
Chief Clerk & Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: Inquiry Initiated by Commissioner Ervin to Investigate the Reported Sale of
Customers' Personal Information to Third Parties by Dominion Energy South
Carolina, Incorporated
Docket No. 2019-363-E

Dominion Energy South Carolina, Incorporated's Proposed Code of Conduct (See
also Docket Nos. 2017-207-E, 2017-305-E, and 2017-370-E)
Docket No. 2019-386-E

Dear Ms. Boyd:

Dominion Energy South Carolina, Inc. ("DESC") filed a letter dated July 24, 2020, in the above-referenced dockets indicating that it was transitioning to an updated Dominion Energy, Inc. Privacy Notice and provided a copy of the updated Notice. The Notice is applicable to DESC and certain other Dominion Energy, Inc. subsidiaries operating in jurisdictions other than South Carolina. The updated Privacy Notice does not expressly disclose that DESC may share customer information with non-affiliated third parties for purposes of marketing products or services not regulated by the Public Service Commission of South Carolina. Consistent with its Report in Docket No. 2019-363-E, the South Carolina Office of Regulatory Staff ("ORS") continues to recommend that the Commission "[d]irect DESC to revise customer privacy policies to clearly disclose that DESC may share customer information with non-affiliated third-parties for the purpose of marketing products or services not regulated by the Commission [] to DESC's customers."

ORS acknowledges that the updated Privacy Notice is meant to be general in nature, apply across multiple jurisdictions, and is subject to state-specific laws and regulations. As noted in DESC's letter, since ORS filed its Report in Docket No. 2019-363-E, the Commission issued a directive in Docket No. 2019-386-E approving a revised Code of Conduct for adoption by DESC to include additions requested by ORS. Among the additions was a provision generally prohibiting DESC from disclosing customer information without customer consent. At this time, the Commission has not issued a final order with the approved Code of Conduct incorporating ORS's proposed additions. ORS notes that the above-mentioned concern related to the updated Privacy Notice could be addressed through the format in which DESC intends to seek customer consent for information sharing for purposes, such as the HomeServe program, once the revised Code of Conduct is effective and ORS being given an opportunity review that format. In addition, if proposed Regulation 103-823.2 regarding protection of customer data currently under consideration in Docket No. 2019-387-A becomes effective, each public utility will need to develop and seek Commission approval of guidelines for implementation of the Regulation, including guidelines regarding customer notice and awareness and customer choice and consent. The proposed Regulation is scheduled for a virtual public hearing on September 16, 2020.

Sincerely,

s/ Christopher M. Huber

Christopher M. Huber

cc: All Parties of Record (via e-mail)
David Butler, Esquire (via e-mail)